

131982-1

REMARKS

Claims 1-49 are pending in the present Application. Claims 1-45 have been allowed, claims 46 and 48 have been amended, claims 47 and 49 have been canceled, and claims 50-52 have been added leaving Claims 1-46, 48, and 50-52 for consideration upon entry of the present Amendment. The Specification has been amended to update information regarding a copending application. No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Allowed Claims

The Applicants wish to extend their appreciation to the Examiner for the allowance of claims 1-45.

Claim Amendments

Claims 46 and 48 have been amended to contain the term "wherein the article is substantially free of visible particulate impurities." Support can be found in the Specification as filed a paragraphs [0029] and [0072].

Claim Rejections Under 35 U.S.C. § 102(b)

Claims 46-49 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by Prest, Jr. U.S. Patent No. 4,373,065 ("Prest"). The Examiner has stated

Applicants' limitations to the polymeric material having been isolated by specific filtration/concentration processes is not seen as imparting patentability to the rejected claims. Applicants need demonstrate patentably distinct properties necessarily flowing from the process limitations.

(Office Action dated December 19, 2005 at page 2)

Prest generally discloses optical recording member for optically recording and retrieving of information having an optically isotropic layer made of an optically isotropic

131982-1

polymeric material blend. The blend includes the combination of a polyphenylene ether and a polystyrene.

Claims 46 and 48, as currently amended, are directed to an article made from the polymeric material prepared according to the methods of claim 1 and 21, respectively. The article, furthermore, is substantially free of visible particulate impurities due to the purity of the material from which it is made.

To anticipate a claim, a reference must disclose each and every element of the claim. *Lewmar Marine v. Varient Inc.*, 3 U.S.P.Q.2d 1766 (Fed. Cir. 1987).

The Applicants respectfully contend that Prest fails to anticipate claims 46 and 48 as amended as the reference fails to teach an article made from polymeric material prepared by the claimed methods wherein the resulting article is substantially free of visible particulate impurities. It has been found that blends of poly(arylene ether) and poly(alkenyl aromatic) can be prepared by the claimed methods to form a polymeric material having low levels of particulate impurities. It is known that visible particulates such as gels and so-called "black specks" are often present in poly(arylene ether) compositions as poly(arylene ether) is subject to degradation during processing (e.g., oxidative degradation). By reducing the level of particulate impurities in the starting material used to prepare the molded article, the resulting article will likewise have reduced particulate impurities. Indeed it is desirable to have reduced numbers of these impurities, both for aesthetic reasons and for functional reasons, e.g. optical storage media that require optical clarity and/or where the surface quality of the storage media can affect the accuracy of the reading device, the ability to store data, and replication qualities of the substrate. Accordingly, as Prest fails to teach each and every limitation of claims 46 and 48, the Applicants respectfully request reconsideration and removal of the rejections.

131982-1

New Claims

Claims 50-52 have been added to further claim the invention.

Antecedent basis for claim 50 is found at least at paragraph [0072] of the Specification as filed.

Antecedent basis for claims 51-52 is found at least at paragraph [0029] and [0072] of the Specification as filed.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 50-1131.

Respectfully submitted,

CANTOR COLBURN LLP

By 

Roberta L. Pelletier

Registration No. 46,372

Date: January 18, 2006
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No.: 23413